

2005 DRAFTING REQUEST

Senate Amendment (SA-SB358)

Received: **05/01/2006**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Ronald Brown (608) 266-8546**

By/Representing: **Daniel Lindstedt**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Brown@legis.state.wi.us**

Carbon copy (CC:) to: **christopher.sundberg@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Permit warning or immediate enforcement, other changes

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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FE Sent For:

<END>

Sundberg, Christopher

From: Offerdahl, Mary
Sent: Friday, April 28, 2006 4:24 PM
To: Sundberg, Christopher; Lindstedt, Daniel
Subject: amendment to SB 358

Hi Chris and Dan, I just spoke with someone from PSC who confirmed that "producer" is the correct word for the entity that extracts the oil from the ground (see change #3 below). Dan, Chris is out this afternoon but is expected back Mon. morning, so I left a voicemail giving him heads up that Sen. Brown would like the following five changes in an amendment to SB 358:

- ✓ 1. Pg. 2, line 6: either add "but is not limited to" after "includes" ~~or confirm with Chris that "includes" already means "includes but is not limited to."~~
- ✓ 2. Pg. 2, line 13: replace the period after "terrorist" with a comma, followed by "foreign or domestic."
- ✓ 3. Pg. 2, line 17: add "producer" to the entities that are sellers for the purpose of the section, after confirming that "producer" is the right word for the entity that extracts the oil from the ground. (I confirmed this--see the first line of my email above.)
- 2 4. Pg. 3, line 4: replace "shall" with "may."
- ✓ 5. Pg. 3, lines 4 to 11: restructure to give DATCP, or DOJ after consulting with DATCP, the option of either issuing the warning first before commencing an action ~~or~~ commencing an action without a prior warning.

Dan, I mentioned in my voicemail to Chris that you would be touching base with him Monday morning. I thought it might be for you to have this email to use as a basis for your discussion with Chris. Please let me know if I didn't capture something you told me correctly, or if you need any further help. Chris' phone number is 6-9739. Thanks, Mary

Mary Offerdahl, Staff Attorney
Wisconsin Legislative Council
Work Phone: (608) 266-2230

Sundberg, Christopher

From: Lindstedt, Daniel
Sent: Monday, May 01, 2006 9:47 AM
To: Offerdahl, Mary; Sundberg, Christopher
Subject: RE: amendment to SB 358

Chris:

Apologies; having a typical Monday here after a long weekend...

Just wanted to make sure that Mary's thought below regarding the state versus the state or a part of the state, that the language "that the state or a part of the state" was included.

Thanks!

- Dan

From: Offerdahl, Mary
Sent: Friday, April 28, 2006 4:38 PM
To: Offerdahl, Mary; Sundberg, Christopher; Lindstedt, Daniel
Subject: RE: amendment to SB 358

One more thought--the prohibition in SB 358 is triggered if the governor has certified "**that the state** is in a period of abnormal economic disruption." (pg. 2, line 20) What if only part of the state is economically disrupted, rather than the entire state (e.g., a flood or tornado hit one area)? Do you want to add "or a part of the state" so that the prohibition would be triggered if the governor certified "**that the state or a part of the state**" is in a period of abnormal economic disruption?

Mary Offerdahl, Staff Attorney
Wisconsin Legislative Council
Work Phone: (608) 266-2230

From: Offerdahl, Mary
Sent: Friday, April 28, 2006 4:24 PM
To: Sundberg, Christopher; Lindstedt, Daniel
Subject: amendment to SB 358

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5. Pg. 3, lines 4 to 11: restructure to give DATCP, or DOJ after consulting with DATCP, the option of either issuing the warning first before commencing an action **or** commencing an action without a prior warning.

Dan, I mentioned in my voicemail to Chris that you would be touching base with him Monday morning. I thought it might be for you to have this email to use as a basis for your discussion with Chris. Please let me know if I didn't capture something you told me correctly, or if you need any further help. Chris' phone number is 6-9739. Thanks, Mary

Mary Offerdahl, Staff Attorney
Wisconsin Legislative Council
Work Phone: (608) 266-2230



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa3108/n

RMNR

CTS:.....

lmk

Wanted: Today Noon

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,
TO 2005 SENATE BILL 358

At the locations indicated, amend the bill as follows:

1. Page 2, line 13: before "terrorist" insert "foreign or domestic".

2. Page 2, line 15: after "state" insert "or a part of the state".

3. Page 2, line 17: after "manufacturer," insert "producer,".

4. Page 2, line 20: after "state" insert "or a part of the state".

5. Page 3, line 4: delete lines 4 to 14 and substitute:

(4)^m ENFORCEMENT; PENALTY. If a seller violates sub. (2), the department or, after consulting with the department, the department of justice, may do any of the following:

(a) Issue to the seller a warning notice specifying the action that the seller is required to take in order not to be in violation of sub. (2).

1 (b) Commence an action against the seller in the name of the state to recover
2 a civil forfeiture of not more \$10,000^{or} to temporarily or permanently restrain or
3 enjoin the seller from violating sub. (2), or both." ✓

4 (END)

Jacket Cover Sheet

LRB No.: **05a3108/1**

Requester: **Sen. Ronald Brown**

Requester Label:

**Change warning/enforcement and
other provisions**

Legislative Topic:

**Permit warning or immediate enforcement,
other changes**

Drafter Contact Info:

Christopher T. Sundberg
Legislative Attorney
(608) 266-9739
christopher.sundberg@legis.state.wi.us